

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JAMES DANIELS, #590302,

Plaintiff,

v.

CASE NO: 20-CV-10469

C/O CHRISTOFF, ADW GREASON
WARDEN WARREN and ADMINISTRATIVE
ASSISTANT GOLSON.,

Defendants.

/

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

This matter was referred to United States Magistrate Patricia T. Morris pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. In her report filed on June 21, 2022, the magistrate judge recommended that this court grant Defendant Golson's Motion for Summary Judgment [Dkt #29] on the basis of exhaustion, and dismissing all claims against her without prejudice. The magistrate judge further recommends that this court grant Defendants' Christoff, Warren and Greason's motion to dismiss [Dkt # the claims against them in their official capacities with prejudice. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), thus further appeal rights are waived.¹

The Court ADOPTS the Report and Recommendation for purposes of this Order.

¹The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, [Dkt #29] Defendants' motion for summary judgment on the basis of exhaustion and to dismiss is **GRANTED**. Defendant Golson is **DISMISSED WITHOUT PREJUDICE** and Defendants' Christoff, Warren and Greason claims in their official capacities are **DISMISSED WITH PREJUDICE**.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: July 14, 2022

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, July 14, 2022, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522